

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA  
SACRAMENTO DIVISION

**NICHOLAS PHILLIPS,**

Plaintiff,

**v.**

**OFFICER B. EASON,**

Defendant.

2:24-cv-2295 DJC CSK P

**ORDER GRANTING DEFENDANT'S  
REQUEST TO OPT OUT OF POST-  
SCREENING ADR**

Plaintiff Nicholas Phillips is a former state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds against defendant Eason for deliberate indifference under the Eighth Amendment as well as a motor vehicle personal injury cause of action. (See ECF Nos. 4, 17.) Defendant filed an answer. (ECF No. 16.)

On November 13, 2024, the Court identified this case as an appropriate case for the post-screening ADR (Alternative Dispute Resolution) project and stayed the action to allow the parties an opportunity to settle their disputes before the discovery process begins. (ECF No. 15.)

On December 23, 2024, defendant filed a notice to opt out. After reviewing defendant's notice, and good cause appearing, defendant's request to opt out (ECF No. 18) is granted, and the stay (ECF No. 15) is lifted.

1 If the parties wish to set a settlement conference with the Court at a later date, they should  
2 so inform the Court. However, the parties are also reminded that they are not precluded from  
3 negotiating a settlement without judicial assistance.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. The stay of this action (ECF No. 15) is lifted.
- 6 2. The Clerk of the Court is directed to issue a consent/decline form to the parties.
- 7 3. The Court will issue a discovery and scheduling order by separate order.

8  
9 Dated: December 26, 2024

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11 CHI SOO KIM  
12 UNITED STATES MAGISTRATE JUDGE

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